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**FILED**

JAN 09 2013

**N.J. BOARD OF NURSING**

By: Barbara J.K. Lopez  
Deputy Attorney General  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE APPLICATION :  
FOR LICENSURE OF :

Administrative Action

FRANCE DAVIS-AIDEE

CONSENT ORDER

26 NP 06896700  
TO PRACTICE NURSING  
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of France Davis-Aidee's application for licensure by endorsement as a Licensed Practical Nurse, including certification and authorization form for a criminal history background check dated June 15, 2011. Upon a review of the results of the criminal history background check, the Board ascertained that the applicant was arrested on August 20, 1999 by members of the Lawrence Township Police Department

and charged with violations of N.J.S.A. 2C:20-11(b)(2) (Shoplifting). On September 21, 1999, a Lawrence Township Municipal Court judge found Ms. Davis-Aidee guilty of the charge of violating N.J.S.A. 2C:20-11(b)(1) (Shoplifting), sentenced her to a suspended confinement of thirty days, and assessed her fines and costs in the amount of three hundred and fifty-three dollars (\$353).

The applicant failed to disclose this arrest and conviction on her application for licensure, answering "No" to questions 14 and 15 on the license application and "No" to question 6 on the certification/authorization form for a criminal history background check. These questions ask whether the applicant has ever been arrested and/or convicted. Following notification to the applicant that the Board was aware of the arrest and conviction, the applicant subsequently provided a written explanation, an arrest report, and a disposition of the matter. The applicant explained that while working as a clerk in a retail department store, she would have her bags checked every time she left work. On one occasion, a security guard found items that did not appear on her purchase receipt. The applicant maintained that it was oversight on her part. Since that time, the applicant maintains that she always checks the pockets of any

items that she purchases to ensure that a similar incident never occurs again.

The Board finds that the applicant's use of dishonesty, deception, or misrepresentation in not disclosing her arrest and conviction on her application form and criminal history background check constitutes a violation of N.J.S.A. 45:1-21(b).

The Board having reviewed this matter, and having considered the nature of the above conduct, and the parties desiring to resolve this matter, and the Board having determined that the within Order is sufficiently protective of the public, in lieu of further proceedings, and for other good cause shown;

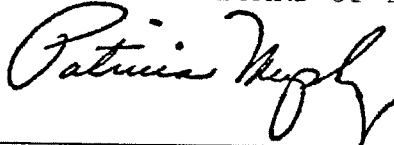
IT IS on this 9<sup>th</sup> day of January 2013

HEREBY ORDERED AND AGREED that:

1. France Davis-Aidee's application for licensure by endorsement shall be granted upon payment of a civil penalty hereby imposed in the amount of two hundred and fifty dollars (\$250.00) for failing to disclose her arrest and conviction on her application and certification/authorization for a criminal history background check. Payment shall be in the form of a certified check or money order made payable to the "State of New Jersey," and shall be submitted contemporaneously with this signed Order.

2. The applicant shall obey all the laws of the State of New Jersey, the United States and their political subdivisions, as well as all regulations, rules or laws pertaining to the practice of nursing in any State or jurisdiction in which she practices nursing.

NEW JERSEY STATE BOARD OF NURSING



By: \_\_\_\_\_  
Patricia Murphy, PhD, APRN  
Board President

I have read and understand  
the within Consent Order  
and agree to be bound by  
its terms.

  
Francis Davis-Aidee

Date: 12/19/2012